

**NATURAL RESOURCES BOARD
MINUTES**

The regular meeting of the Natural Resources Board was held on Wednesday, May 22, 2002, at The Waters, 8116 Highway 51 South, Minocqua, Wisconsin. The meeting was called to order at 8:40 a.m. All May Board Agenda business was conducted by the Full Board.

Chairman Solberg asked for a moment of silence for Stanley (Tom) Palmer, Natural Resources Equipment Operator, an employee of the Department since 1966. He was working on a back hoe was killed in an accident while at work. Mr. Palmer passed away May 22.

Chairman Solberg called upon Al Hanley, President of the Department of Commerce. Mr. Hanley welcomed the Natural Resources Board. He reflected on the Northern State Forest being one of their main resources and one of the best amenities to attract people. He stated they need to use the forests and hope the Board will make sound and valuable decisions.

PRESENT: Trygve A. Solberg, Chair
James E. Tiefenthaler, Vice Chair
Gerald W. O'Brien, Secretary
Herbert F. Behnke
Stephen D. Willett

ABSENT: Howard D. Poulson
Catherine Stepp

ORDER OF BUSINESS

1. Minutes to be approved.

1.A. Full Board Minutes of April 24, 2002.

Mr. O'Brien MOVED, seconded by Mr. Tiefenthaler, approval of the Full Board Minutes of April 24, 2002, as presented. The motion was carried unanimously by those members present. (Ms. Stepp and Mr. Poulson were absent)

1.B. Agenda for May 22, 2002.

Executive Assistant Barb Zellmer, asked that the following change be made: Addition under Committee of the Whole item 3.C.5. Retirement Resolution for Ronald Fassbender.

With this change Mr. Behnke MOVED, seconded by Mr. O'Brien, approval of the agenda for May 22, 2002, as presented. The motion was carried unanimously by those members present. (Ms. Stepp and Mr. Poulson were absent)

Chairman Solberg welcomed Executive Assistant Barb Zellmer, sitting in for Secretary Bazzell.

2. Ratification of acts of the Department Secretary.

2.A. Real estate transactions.

Mr. Tiefenthaler MOVED, seconded by Mr. Behnke, approval of the real estate transactions, as printed. The motion was carried unanimously by those members present. (Ms. Stepp and Mr. Poulson were absent)

3. Committee of the Whole.

3.A. Citizen Participation.

- 3.A.1. **Bart Sexton**, Rhinelander, representing the Oneida County Solid Waste Department, spoke regarding compost standards. Mr. Sexton stated that the Oneida County Solid Waste Department has been operating two composting sites; one for food, paper and yardwaste, and one for papermill wastewater residuals. Both operations depend on the sale of end products to be economically viable. Mr. Sexton urged the Board to support development of reasonable interim guidance for composting. He stated they were asking the Board to promote or raise the priority of development of the internal standard for composting. He stated that if they have internal guidance by September, that would be acceptable.

Discussion pursued regarding a timeline.

Executive Assistant Zellmer - Reported that some additional issues had been identified and Jay Hochmuth, Division of Land Administrator, has made a commitment to move on this and an internal group is looking at this composting issue. She stated she hoped to be back before the Board requesting to go to hearing sometime this summer.

- 3.A.2. **Rick Posig**, Green Bay, as President representing WI Bear Hunters Association, regarding wolf depredation. Mr. Posig stated that he supports wolf depredation, however, opposes areas and has concerns regarding the provision of the dog hunters. He stated the Wisconsin Bear Hunters feel that controlled trapping should be conducted on wolves killing dogs on public land. He further stated that the Wisconsin Bear Hunters Association's recommendation of controlled trapping would be conducted after a total of three depredations have occurred, within a three mile radius during a five year period.

Discussion pursued regarding: Bear Hunters Association input, Mr. Posig being added to the technical committee, and the Bear Hunters Association being satisfied being included.

- 3.A.3. **Dennis Sorensen**, St. Germain, representing the Association of WI Snowmobile Club, regarding trails, state forests, and snowmobiling. Mr. Sorensen reflected on grooming and volunteers of the snowmobile trails. He stated there are 370 miles of snowmobile trails and they cannot afford to loose any of these trails. It is also a safety issue. Less trails mean more snowmobiles on each trail, making them crowded and unsafe. Mr. Sorensen requested the Board not to take away any snowmobile trails in the ten-year master plan of the Northern Highland American Legion State Forest.

Chairman Solberg - When this goes to the master planning process, when the six alternatives are put in and as the Department listens to the people around the whole State of Wisconsin, because this is owned by the whole state, everything that is discussed needs to be put into the plan. I agree with you 100 percent, I don't want to see any less trails either. Because we buy this property and hopefully we can use this property.

- 3.A.4. **Paul Zimmerman**, Madison, representing Wisconsin Farm Bureau, spoke on the nonpoint issue. Mr. Zimmerman encouraged the support of the Board to draw to conclusion the nonpoint redesign program. He stated that on behalf of the Wisconsin Farm Bureau, is in support of the technical changes and of the cross referencing issues that the Department staff have added and were clarified. He further stated that the Bureau also supported the concept of doing buffer research within the State of Wisconsin over the next three and a half years and from the information gathered from this research, along with external partners, to proceed with possible rule making into the future. Mr. Zimmerman encouraged the adoption of the green sheet by the Board.
- 3.A.5. **Norm Poulton**, Tomahawk, representing Environmentally Concerned Citizens of the Lakeland Area (ECCOLA), spoke on trapping wolves on public land. Mr. Poulton reviewed his background regarding wolves. He stated ECCOLA's position is they couldn't disagree more with the previous speaker on the allowing of trapping of wolves on public lands that have been killing bear dogs. He stated these are public lands and that it is almost unethical to ask for this. He further stated there has been a lot of time and effort

put into the wolf plan and this plan has been modified on three separate occasions to appease the people about their concerns with the wolves and to gain public acceptance. He stated that at the last Wolf Stake Holder's Committee Meeting, of which he is a member, several of the groups there were upset about receiving a fee for the killing of these dogs. He reviewed the number of dogs killed in the State of Wisconsin in 2001 and the events that circumvented the killings.

- 3.A.6. **Caryl Terrell**, Madison, representing the Sierra Club, spoke on mandatory buffers. Ms. Terrell stated that the Sierra Club had been before the Board at previous meetings urging the adoption of the historic polluted run off rules the agency had been working on cooperatively with the Department of Agriculture for the last four years. She reviewed the history of the rule and the Sierra Club's previous visits. Ms. Terrell stated that May 22 Senator Baumgart received a letter from this agency. (Ms. Terrell provided a copy of Senator Baumgart's letter dated May 21, 2002). The letter stating that as long as the effective date is after CREP and that the land meets other eligibility requirements there should be no problem with CREP eligibility. She stated that the Sierra Club would like the promise that the research project timetable be included in the administrative rule. Ms. Terrell read portions of Senator's Baumgart's letter. She stated that the Sierra Club would support Senator Baumgart's position.
- 3.A.7. **Jim Olson**, Eau Claire, representing the Sierra Club, spoke on wolf management. Mr. Olson reflected of the Department of Natural Resources efforts and concern of the Departments implementation of the wolf management plan by a valid, scientific, and evenly paced approach. He stated that the Sierra Club supported the DNR implementation of the plan should continue, and not take detours or yield to pressures that could jeopardize the scientific validity of the plan at the very time of when the success of the plan seems within reach. He stated the clubs concerns. He urged the Department and other stakeholders to follow the scientific plan as it continues to be implemented.
- 3.A.8. **Stephany Adams**, Madison, representing River Alliance of Wisconsin, spoke of the buffer resolution. Ms. Adams stated that she was before the Board today to read a statement from Mr. Todd Ambs, Executive Director of the River Alliance of Wisconsin, since he was unable to attend. Ms. Adams read Mr. Ambs statement in full. Mr. Ambs statement stated that he believed that the resolution on vegetative buffers is an historic opportunity for our waterways and he urged the Board to support this initiative. His letter reflected the history of the nonpoint rule. His wrote that the resolution is a compromise and the Alliance would like to have language mandating vegetative buffers by a certain date in the current rule package. His letter further stated that he believes that this is a thoughtful, reasoned way to grapple with this subject and, coupled with the rest of the rule package, has the great potential to truly make Wisconsin the national leader in controlling polluted runoff.

Chairman Solberg added the following citizen participates:

- 3.A.9. **Mark Schoebel**, Neshkoro, representing himself and his wife Alice, spoke on chronic wasting disease (CWD). Mr. Schoebel reflected on the causes, effects, and what CWD is. He further reflected on Pruisner in 1996 who won the Nobel Prize for the discovery of prions and his theory. He further stated that he and his wife believe that chemicals are the cause of CWD and the basis of this argument is the overwhelming evidence of the destructive nature of organochlorines, PCS's, organophosphates, and chemcially stable compounds used in insecticides. Mr. Schoebel further stated that the annual application of herbicides, fungicides, insecticides, and other pesticides over the past sixty years has created a chemical cocktail in the environment that is showing it's power today as chronic wasting disease. He referred to Willaim Davidson and Victor Nettles, authors in their Field Manual of Wildlife Disease, and stated their findings.

Discussion pursued regarding this theory.

- 3.A.10. **Dick Decker**, Eagle River, representing himself, regarding ATVs and ATV trails. Mr. Decker gave examples of how large the ATV industry is getting. He stated that ATVs can be a big factor in the economy just as snowmobiles are. He further stated that ATVs need trails, that without trails they cannot do anything to be successful. He stated they needed the cooperation of the local people and the Department. Mr. Decker urged the Board to consider adding ATV tails in the master plan of the Northern Forest.

Chairman Solberg - We discussed some of this issue yesterday. I agree with you that we need to eventually get the system to go somewhere. I would hope that, when the final master plan comes back, there will be something in the system to get the trails interconnected.

3.B. INFORMATIONAL ITEM - Update on Chronic Wasting Disease Management Regulations.

Tom Hauge, Director of Wildlife Management, presented an overview of chronic wasting disease (CWD). Mr. Hauge stated that Mr. Schoebel's comments were a testimony to the amount of learning that is going on in the state on CWD. Mr. Hauge spoke of town meetings and attendance within the last 30 days with the Department staff. He reflected on:

- Attended 11 town meetings with over 4000 people in attendance
- Reactivated the Dodgeville Field Activation Center
- Conducted a one day hunt in Blue Mound State Park
- Began to process the issuance of landowner permits for deer removal for the summer
- Involved in carcass disposal alternatives
- Surveying the public with regards to the upcoming hunting season alternatives
- Governor McCallum, Secretary Harsdorf, and Secretary Bazzell traveled to Washington D.C. and testified before Congress on CWD
- Governor called a special legislative session, session was held and the bill was signed
- Meetings with private labs interested in CWD testing, hosted by the Special Board Committee on CWD
- Dr. Langenberg and Mr. Hauge traveled to Aims, Iowa, to visit the National Veterinarian Services Lab to say thanks and to speak with them regarding the testing issues facing us as we move forward with the disease as well as national issues
- USDA Risk Assessment Team was in Wisconsin, laying out the issues of Wisconsin DNR
- Met with USDA
- Media interviews with radio, TV, and newspapers

Mr. Hauge thanked the Legislature and Governor McCallum for the work they did in the past week to sign the critical legislation they all believe is necessary to eradicate CWD. The Legislation provides the money to get started with CWD control and testing activities and the authority to implement regulations to take action to stop the disease. He specifically thanked the leadership of Senator Chuck Chvala and Representative Scott Jensen. Most of the legislatures worked a 16-hour day trying to get that bill out by the end of the day. Mr. Hauge also thanked Senator James Baumgart and Representative DuWayne Johnsrud and the members of their committees. They were the advocates in that 16-hour day session who advocated for the legislation and worked hard to make sure with the amendments that we ended up with a good bill. All of those folks deserve our appreciation.

Discussion pursued regarding baiting and feeding.

Mr. Hauge - That bill gives us the authority to regulate feeding. Mr. Hauge provided the Board with a copy of the Act. He continued his presentation with federal funding. There are a lot more folks in Washington D.C. talking about CWD today and there have been four or five pieces of legislation introduced. Our congressional delegation is working to pursue different avenues on the issue. However, we are still waiting for federal financial resources to come. The reality is that on a short term basis in Wisconsin, it will be up to us to tackle CWD and get started with it and that is why I think last weeks legislation for us was so important to get things going. In the next month, the landowner permits will be addressed. The Dodgeville Field Operations Center will focus on getting permits out to the landowners within the eradication zone that desire to begin removing deer. Yesterday and today postcards were mailed to the landowners within the eradication zone informing them of the opportunity to get the permit and the process by which to request the permit. We expect that by next week responses will be received and the actual permit issuance will begin. Mr. Hauge again stated that landowner cooperation is essential to eradicating the disease. To earn that cooperation we need to be sensitive to the desires and the needs of the landowners in the zone. One of the strong messages that we heard within the community is the concern about a continuous shooting operation disruption, basically of their normal summer activities. They agree

this is a serious disease but they want some normalcy in their life this summer. We are going to limit the landowner permits to a series of seven day time periods, one each month (June, July, August, and September) that will give a three week off period during each of those months in that community. It will focus the activity, give the Department more efficiency in the collection of the deer sampling, and people won't need to worry about generalized shooting occurring. The first seven-day period is scheduled to begin on June 8 and would run through June 14. Next week we will be working on the rule order that will come before the Board in June during the Racine Board Meeting. Our goal is to get the rule order finished by June 17 so it can be shared widely and give people the opportunity to read and understand it prior to the June Natural Resources Board Meeting.

Mr. Behnke - I agree with everything that the Department is doing. I totally feel that you are doing a tremendous job. The next step, you are still gathering information, you are still working on a solution to the problem in that area. As we take the next step, testing, the opportunity for people to test deer throughout the state to determine whether they can eat them or not, what is your plan there to have something in place for this fall hunting season?

Mr. Hauge - One of the key aspects of the legislation is it provides the financial assistance to get our Wisconsin Veterinarian Diagnostic Lab up to speed. A month ago I couldn't definitively say that we would have this Wisconsin lab up and running by this fall. Today, the Wisconsin Veterinarian Diagnostic Lab is more encouraged and Dr. Langenberg could speak to it more definitively by potentially mid August they hope to start running some samples. They cannot, obviously, handle 500,000 deer. They will not get to that level of testing. Generally speaking, we are headed short terms in the eradication zone. We are starting, with the landowner permits. We won't take that many deer in the months of June, July, August, and September. If we took an optimistic look at taking 500 deer a month, I don't know if we are going to take that many deer. The bulk of the deer will be removed during the fall hunting, that is when all the action will start to occur, the sampling in the larger 13 deer management units (Mr. Hauge pointed out these units to the Board on a map). At this time we need to intensively survey the deer populations in all of these units to look for CWD cases in the surrounding units. If we find a case, we will create a mini eradication zone and go after those local infections. Statewide plans for surveillance are primarily fall based. That is when we will have the opportunity to get large numbers of deer efficiently. Those results won't be available to us until mid winter and so we won't really be able to get the picture on a statewide basis until late winter or spring, whenever those test results come back to us. The hunter testing desire is a large question. We scheduled a meeting for May 30 and invited the private labs that contacted us with an interest in testing the hunter community because we know that a lot of the hunting communities want to have their deer tested for peace of mind. We are going to try and get as much information as we can from USDA, hopefully, have a USDA representative at this meeting to address the question as to the role of private labs in testing deer.

Mr. Willett - The previous speaker addressed some real issues that I would like answered.

Julie Langenberg, Wildlife Health Specialist Veterinarian, spoke to the comments and concerns of Mr. Schoebel.

Mr. Willett - The environmental factors, of course, give rise to the issue of passage. Where are we doctor on the issue of passage? I see that this bill is talking about . . . The Department shall promulgate rules to regulate recreational and supplemental feeding of wild animals for the purpose of other than hunting. What is the genesis of that? What evidence is there that this has anything to do with the spread of CWD?

Dr. Langenberg - In terms of transmission of how does an animal get infected with this disease, as has been said frequently, we do not have all the answers to that. But, there is quite a bit of evidence that suggests that animal to animal contact is a major way that this disease is passed. That evidence is based on what the progression of the disease is in an animal, that it looks like that it is probably a disease that comes in orally, through some sort of oral exposure. The progression of the disease suggests that animal to animal contact may be an issue. The spread of the disease between animals in groups, especially based on information that has been gained from the captive settings where this disease has occurred, suggests that animal to animal contact is really important. Researchers in the west are currently working on a number of

projects with deer, both mule and white tail deer, to try and get a better handle on what body fluids may be the source of infection and whether there are additional ways an animal can get infected besides animal to animal contact. The kinds of studies they are doing are things like putting healthy deer with known infected carcasses. Exposing healthy deer to feces from known infected animals. They are trying to get at more specific answers. What information is available and what experts say is that animal to animal contact is at least a major if not the only way this is transmitted. Based on that information, it seems very prudent to do everything that we can to reduce artificial situations where animals congregate. Information, especially gained recently, in situations such as in Michigan where they have been monitoring baiting and feeding of what deer actually do around sites where artificial food is provided. Their studies have shown that even over small volumes of artificial food provided there is quite a bit of animal contact. The science teams recommendation to prohibit baiting and feeding to help control this disease is wanting to do what we can to decrease congregation.

Discussion pursued regarding baiting and feeding statewide, the northern Wisconsin deer herd, and writing the rule.

Mr. O'Brien - At the next meeting, because feeding and baiting is such a controversial issue, in response to Mr. Willett's question when he asked what evidence do we have to substantiate that feeding is a cause of the problem. We know that feeding brings them together, you said there is scientific evidence and the scientists tell us, but I don't hear anything concrete. I don't see that this study shows this or that study shows that. I think we need to have some scientific evidence, substantial facts.

Dr. Langenberg - The one page brief from the interagency CWD science team that was shared with the Board a month ago had a very brief summary of some of the science. We fully intend to have a much more complete summary of the science that we think is pertinent to the question. I fully intend to have that prepared for the Board weeks before next months meeting so that the Board will have time to think about it and share concerns with those that are discussing this issue.

With a PowerPoint slide presentation Dr. Langenberg stated that her mission was to update the Board on the data and what is going on in the southern region. She stated that they confirmed at the beginning of this week news by the National Vet Services Lab (NVDL) of four new positive cases. These were four of the approximately 516 deer that were collected during the spring sampling.

Additional critical testing issues are the need for development and validation of more rapid field friendly tests for CWD and the need for development and validation of easy and effective live animal tests for CWD. Currently, the gold standard test for CWD is immunohistochemistry (IHC, a tissue staining process using a specific antibody) on a brainstem sample. The tissue processing and lab analysis for IHC takes about a week. IHC can also be used on deer cranial lymph node and tonsil samples. The latter can be collected from a live animal for testing. Researchers in Colorado, Wyoming, Washington, and Iowa are developing a blot test for CWD that can be used on brainstem, tonsil, and lymph node samples. These screening tests can be done in a matter of hours. Researchers at NVDL and other labs have also started investigating whether rapid and live animal tests developed for BSE in Europe could be adopted for use with CWD. These four deer are the results of this additional testing. Basically, these four deer were likely in earlier stages of the infection, the prion was only in the lymph node tissue of the head. Lymph node tissue being both tonsils and lymph nodes. She stated they felt confident that this test is true evidence of a positive and part of their reason for working with NVDL in partners and getting this testing done is to help with the development of that test to be able to identify animals in the earlier stage of the disease.

She further spoke of the location of the four deer, creating a new spot eradication. The new spot eradication zones will be about a four-mile radius. Dr. Langenberg stated that a four-mile radius is appropriate looking at scientific information available and summaries of deer dispersal research shows that four-miles will include about 98 percent of doe movements and about 75 percent of buck movements. In response to input from the citizens, biologists, and staff, the science team is also recommending they apply that same four-mile eradication zone from a positive of management approach to previously identified positives that were the outliers. She presented a map to the Board indicating where the new outlier areas from the identified positives were.

In terms of testing capacity, Dr. Langenberg stated they took a major step forward last week with the legislative funding being identified for the state lab to develop the ability to do the gold standard testing. There is a second opinion testing that needs to be done consistently to reaffirm they have accurate results. The two other key parts of the work that continue to be done on testing capacity is the development of new tests and the collaboration of private labs. Part of the process was visiting National Veterinary Services Lab (NVSL) where they are working with the laboratories around the country that are doing the cutting edge research to develop new tests. They are working with them with the goal of having those tests validated for whitetail deer, as quickly as possible, and having them available in Wisconsin so they can use them to try and accommodate that large interest to have lots of testing done by the fall of this year, if possible. The two major categories of new tests promising new rapid high volume tests, one of which is the dot blot test that have been developed by researchers primarily in Colorado and Washington. One of the team from the Wisconsin diagnostic lab went to Washington and started the process of working with those researchers. They expect to have that test here in the state lab of Wisconsin probably a month from now for them to start working with and help with the validation process here. The other major category of promising new tests are the tests that were developed for mad cow disease in Europe. There are several of these tests and as is summarized in the handout that Dr. Langenberg shared with the Board, they are collaborating with the National Vet Services Lab, which is the national leader in CWD testing. NVSL is working on all three of the most promising mad cow disease tests, working with Wisconsin's whitetail deer samples to get it validated as quickly as possible. NVSL expects to have, within two months, results that indicate this is the one that seems to work the best. At the same time, the Wisconsin diagnostic lab is also about a month from now going to work with two of those tests. Besides the blot test, they will be working with mad cow disease develop tests. There is a huge effort, as rapidly as possible, to find those new, better, more rapid tests with the hope they could have them available in the fall. The major challenge in having these tests available is working with USDA and the state authorities to identify how we can make those tests available to be used in the state. Basically, that is working through a process to see what the approval process would be for private labs, what the actual licensing of these new tests needs to be. It is a critical issue in terms of having these tests available to us in the future. She stated they are getting a clear message from USDA that though they are very interested in the development of testing capacity and better tests, they are going to be very cautious in making sure that the tests are really quality tests and making sure they are being put in the hands of laboratories that do a quality job.

Dr. Langenberg stated they were told on Friday that USDA plans to clarify what their approach to approval of what these new tests is going to be by Memorial Day of how they intend to approach allowing these tests to be used and allowing these tests to be used in the hands of private firms. An informational meeting is being planned for all the private labs in our state that are interested in helping with CWD testing in the state. The agenda for that meeting is basically to provide specific information about these tests, let them know what the state of the art is, and what the time table they expect for the validation of the tests, have a USDA representative there if possible, share the information that should be received by Memorial Day regarding the approval and use of CWD testing. And, talk through some of the specifics about how private labs can help with this testing need.

Mr. Behnke - How many private labs are interested in this testing?

Dr. Langenberg - About a dozen. There is quite a bit of variability in terms of how far along they are along in their development of process and what part of this they are interested in. There are some labs that are interested basically in getting involved in sample collection. There are some labs that are specifically interested in the kinds of technologies available in keeping track of all the data. The vast majority are in the middle who actually would like to do the testing. Some of these labs are new development, there are three or four that are biotech firms that are already doing other kinds of diagnostics. Some of the biotech firms are university affiliated some are not. We do have two University of Wisconsin Madison biotech firms that are interested.

Mr. Tiefenthaler - Has anyone discussed, talked about, or thought about on the ground testing for the hunter? Could you share with us where we might be at this point?

Dr. Langenberg - It is further off. The most specific information discussion that I have been involved in is with the lab in Washington, which is the premier test development lab. What they are interested in doing is taking the rapid blot test, currently it takes several hours, and getting it to the point where you could take a piece of tissue in the field and basically apply the contents right to the tissue and see a color change. It would be very much a screening tool as most of these new tests will be. There will be the screening test and then we would run the gold standard. I would say it is possible for the hunting season of 2003. But, I would think that the USDA hurdles will only get larger when you get to that kind of field testing. There are going to be more concerns about quality control.

The other key issue that Dr. Langenberg spoke of was carcass disposal and the risk involved. Basically in the original sampling of the 500 deer the carcasses went to Dane County landfill. At that time it was an active decision with the science team involved. They felt it was a safe approach for disposal of animals from the area they knew that were CWD infected. As we have started to work toward harvesting deer from the eradication zone and in the fall from the management zone, they have had a science sub-team working with DNR and Agriculture Agency staff who are experts in waste management re-addressing the issue of carcass disposal. There have been a great deal of concerns expressed about the human health risk, certainly concern of environmental contamination. She stated they want to dispose of these carcasses in a way they don't end up with infectious prion on the landscape where other deer can be infected. They need to think about this issue in the context of what they know and what they don't know about the human health risk associated with this. Certainly, they want to make sure, given the fact they can't guarantee there is no human health risk associated with this, they are not putting infectious prion in the environment in a way that humans can be exposed. The science team re-examined carcass issues and the summaries are available regarding the known risks associated with this disease and how various carcass disposal methods would get rid of that prion. This is information that Dr. Langenberg offered to share with the Board members if they request. The inner agency science team still feels that landfill is an acceptable option for the disposal of carcasses even from the eradication zone where there is known infection.

There is one study that looked at a varying scrapee hamster infected tissue and identified that after three years there was a 99 percent reduction in infectivity. Landfills have been used with other disease disposal such as scrapee sheep. That is basically where they all end up in landfills. In conjunction with the experts on landfills and learning about the technology of containment there is a feeling, from a scientific viewpoint, that landfills are an acceptable way to dispose of animals from the eradication zone. Their recommendation is that they still be considered as a way of moving forward with the eradication plan. Their operations team and the regional waste managers need to look at what is possible in terms of the capacity available. One significant major additional recommendation that the science team has made was a way of reducing further the risk associated with putting eradication zone animals into landfills is to sort out the sick animals. Additional information received yesterday, of the 11 positives that were collected over the last two months, 45 percent of them were considered sick, of very poor body condition versus only two percent of the healthy animals were considered in very poor body condition. Clearly, body condition, the evidence of a sick animal, there is a strong connection of positivity when randomly sampled from the eradication zone. Their intention is that any animal in poor body condition or showing any evidence of being sick, those body carcasses would be incinerated. That is the science teams recommendation to harvest animals going through the summer season. There is still a lot of work to be done on carcass disposal, working with the meat processors, investigating on whether rendering is still an option. The renderers, at this point, are expressing reservations about working with the deer. This is something the science team will continue to work on.

Bill Vander Zowen, Wildlife and Landscape Ecology Chief, presented the CWD management questionnaire and meetings that had taken place in the past month. He stated they have more support on this than any other item that he has been associated with the deer populations. He further stated that presently they have 2432 total responses to the questionnaire entered into the computer with the rest to be finished by the end of this week and will be incorporated into the green sheet for the month of June. These questionnaires were available at each of the large and small public meetings held throughout the state. In Mt. Horeb there were 548 returned, 139 from Eau Claire, 131 from Rhinelander, 130 from Green Bay, 766 Waukesha, 350 from the DNR website, and the rest have not yet been entered. Above a certain level statisticians note that you really don't change the percentages and there is a workload associated with this.

It is provided on the website whether the folks are a license holder or not, obviously more people than license holders have a stake in this. Mr. Vander Zowen presented the questionnaire with results using a PowerPoint presentation.

Discussion pursued regarding deer hunting licenses and the questionnaire.

Mr. Vander Zowen passed out the Chronic Wasting Disease Management Questionnaire and the results that have been entered into the computer system reflecting the statewide survey and those from the Mount Horeb meeting. He stated that they need to define the boundaries of the eradication zone and the management zone. Mr. Vander Zowen stated that the CWD emergency rule components will include:

- Eradication and management zone boundaries
- Eradication and management zone population goals, gun season dates, archery season dates
- Permit systems (earn-a-buck vs. either sex)
- Firearm restrictions; blaze orange requirements
- Sharp-shooting ammunition options (buckshot)
- Baiting restrictions in management zone (exemption by permit)
- Feeding restrictions in management zone (allowance for bird feeding)
- Carcass transportation and disposal restrictions
- Deer registration requirements (where and by when)
- Shooting from vehicles and aircraft by department staff and agents
- State park hunting rules; landowner permits and tags under wildlife nuisance authority
- Import restrictions for carcasses from CWD units of other states
- Submission of heads for testing; snares by permit
- Hunting with dogs by permit
- New eradication zones when new positive cases are found

Discussion pursued regarding landowners, rifles, and giving the landowners the option of rifles.

3.C. Retirement resolutions.

- 3.C.1. Jon Bergquist.
- 3.C.2. Tom Harris.
- 3.C.3. Phil Palzkill.
- 3.C.4. Jack Zimmermann.
- 3.C.5. Ronald Fassbender.

Executive Assistant Zellmer reviewed the careers of each retiree and commended them for their excellent years of service to the Department and to the State of Wisconsin.

Mr. Tiefenthaler MOVED, seconded by Mr. Willett, approval of the retirement resolutions, as presented. The motion was carried unanimously by those members present. (Ms. Stepp and Mr. Poulson were absent)

4. Board Members' Matters.

- 4.A. Herbert Behnke - Nothing.
- 4.B. Catherine Stepp - Absent.
- 4.C. Gerald O'Brien - Nothing.
- 4.D. Stephen Willett - Requested a briefing on where the Department was with the Shell Lake issue.

John Gozdziwski, Regional Water Leader, responded with an update of the Shell Lake issue. Mr. Gozdziwski reviewed the serious condition on Shell Lake, water levels, the city applying to divert water from Shell Lake to the Yellow River, the permit application, the environmental analysis process, and the

public notice process. When the public notice was put out for the diversion permit, two official letters of opposition were received, and those letters of opposition still stand. As of today Mr. Gozdziński stated that he can't guarantee that these two parties will withdraw their objections. If not, they go to contested state hearings which could be several months down the road before final decision can be made as to whether they can move forward with issuance of a permit.

- 4.E. Howard Poulson - Absent.
- 4.F. James Tiefenthaler - Nothing.
- 4.G. Chairman Solberg - Nothing.
- 5. Special Committees' Reports.

Chairman Solberg - Mr. Behnke and I are on a special committee for chronic wasting disease. I thought the Board should be represented on a more timely basis and we have asked for weekly meetings from staff, which we have had. As Board members, we hear a lot from individuals, citizens, and we are bringing these concerns to the table. Other issues, on a timely basis, letting the Department know and finding out what the hunter wants. The next meeting is May 30, getting together with all those interested parties with the testing process. Chairman Solberg asked if Mr. Behnke had any other comments.

Mr. Behnke - Only that there is a certain area of policy deliberations on the CWD issue and it should be recognized. I think this will work, to help expedite this issue. The bureaucratic process is sometimes not as fast as you and I would like it to be and we feel that we can push it along being on this committee.

Chairman Solberg - If any of the Board members have comments that you would like to pass along let Mr. Behnke or myself know. This is such a fast moving project that we need to stay involved.

- 6. Operating Committees.
- 6.A. Air, Waste and Water/Enforcement Committee.
- 6.A.1. Minutes. There were no Committee minutes for April 2002 since all agenda items were taken up during the Full Board Meeting.
- 6.A.2. Adoption of Order DG-46-00 - revision of Chapter NR 809, Wis. Adm. Code, pertaining to new EPA mandated public notice regulations and corrections to previously adopted disinfection and disinfection by-products regulations.

Don Swailes, Drinking Water Quality Chief, presented the adoption of Order DG-46-00 - revision of Chapter NR 809 pertaining to new EPA mandated public notice regulations and corrections to previously adopted disinfection and disinfection by-products regulations to make the rule making more simple. The Public Notice Rule revision has been promulgated by the United States Environmental Protection Agency as mandated by the 1996 Amendments to the Safe Drinking Water Act. As the primacy agent for USEPA in Wisconsin, the Department must adopt and implement regulations at least as stringent as those promulgated by the USEPA. The rule revision addressed is a direct result of that requirement.

Mr. O'Brien MOVED, seconded by Mr. Willett, adoption of Order DG-46-00 - revision of Chapter NR 809, Wis. Adm. Code, pertaining to new EPA mandated public notice regulations and corrections to previously adopted disinfection and disinfection by-products regulations, as presented. The order was carried unanimously by those members present. (Ms. Stepp and Mr. Poulson were absent)

- 6.A.3. Authorization for hearing on revision of Chapter NR 428, Wis. Adm. Code, pertaining to reduction of NOx emissions.

Larry Bruss, Ozone and SIP Development Section Chief, presented the authorization for hearing on revision of Chapter NR 428 pertaining to reduction of NOx emissions which establishes an emission limit for combustion turbans that are fired by fuel that is derived from a coal classification plant. This rule

makes changes to the averaging portions of the NOx control regulations and these changes are needed to make them acceptable to EPA so that the facilities that want to use the averaging can take advantage of the alternative compliance scheme.

Mr. Willett MOVED, seconded by Mr. Behnke authorization for hearing on revision of Chapter NR 428, Wis. Adm. Code, pertaining to reduction of NOx emissions. The motion was carried unanimously by those members present. (Ms. Stepp and Mr. Poulson were absent)

Mr. Willett - Where are we at with the clean ski issue?

Larry Bruss - Responded with an update and stated he would keep the Board apprised of the issue.

6.B. Land, Management Recreation and Fisheries/Wildlife Committee.

6.B.1. Minutes. There were no Committee minutes for April 2002 since all agenda items were taken up during the Full Board Meeting.

6.B.2. Adoption of Order WM-02-02 - revision of Chapters NR 10, NR 15, NR 16, and NR 17, Wis. Adm. Code, pertaining to wildlife housekeeping changes for 2002.

Kurt Thiede, Wildlife Regulations Policy and Outreach Specialist, presented the adoption of Order WM-02-02 - revision of Chapters NR 10, NR 15, NR 16, and NR 17 pertaining to wildlife housekeeping changes for 2002. Mr. Thiede stated these changes are minor in nature, non-controversial, and can be most efficiently handled through a housekeeping rule order. Areas of this rule that would be affected are deer hunting, pheasant hunting, and clearing up some license language to coincide with current technology, bear hunting, clarifying trapping hours, clearing up language on commercial deer farms, which has been obsolete with statutory changes, and correcting some citations.

Discussion pursued regarding ALIS licenses and stamps.

Mr. Tiefenthaler MOVED, seconded by Mr. Willett, adoption Order WM-02-02 - revision of Chapters NR 10, NR 15, NR 16, and NR 17, Wis. Adm. Code, pertaining to wildlife housekeeping changes for 2002, as presented. The order was carried unanimously by those members present. (Ms. Stepp and Mr. Poulson were absent)

6.B.3. Adoption of Order WM-01-02 - proposed wildlife regulation changes resulting from the 2002 Spring Fish and Wildlife Hearings.

Kurt Thiede, Wildlife Regulations Policy and Outreach Specialist, presented the adoption of Order WM-01-02 - proposed wildlife regulation changes resulting from the 2002 Spring Fish and Wildlife Hearings. Mr. Thiede stated that attendees at the spring fish and wildlife hearings endorsed all these proposals in which there were four questions asked. These proposals were also presented to the Conservation Congress at their statewide meeting earlier in May and were approved by them. Mr. Thiede reviewed the questions and results.

Chairman Oestreich - The Conservation Congress concurs with the proposed wildlife rule.

Mr. Tiefenthaler MOVED, seconded by Mr. Willett, adoption Order WM-01-02, proposed wildlife regulation changes resulting from the 2002 Spring Fish and Wildlife Hearings, as presented. The order was carried unanimously by those members present. (Ms. Stepp and Mr. Poulson were absent)

6.B.4. Adoption of Order FH-04-02 and Order FH-14-02 - proposed fishing regulation changes resulting from the 2002 Spring Fish and Wildlife Hearings.

Steve Hewett, Fisheries Policy and Operations Section Chief, presented the adoption of Order FH-04-02 and Order FH-14-02 - proposed fishing regulation changes resulting from the 2002 Spring Fish and Wildlife Hearings. With a PowerPoint presentation, Mr. Hewett reviewed all the questions and the

questionnaire results. Mr. Hewett requested the Board to accept the package as revised with the amendment with the trout regulations based on public input that was received.

Mr. Behnke - I am seeing that as a part of fish management a disturbing philosophy developing that we need to move farther and farther away from satisfying the general fishing public to the special interest groups who want to establish a trophy fishery for many of our lakes. I am not opposed to having some of that, but we are seeing every year more and more of these as we continue up to 40, then to 45, then to 50. I don't know if this is really serving the general fishing public. I do believe that we have a lot of people in this state that like to go out fishing looking at a 28 inch size limit on a fish of walleye on a lake. They don't want to be looking at a 45 or 50 inch size limit on many of the lakes where they would ordinarily go to and that is where they vacation. I am not proposing anything at this time except, in my opinion, we are moving too far in the direction of establishing fishing programs for the special interest groups who like to go out and catch a trophy fish rather than the family kind of fishery program that I think we need to think about as we serve the public and the citizens of the State of Wisconsin.

Mr. Willett - I would agree 100 percent and lower Wisconsin is an example. Do you want a motion on that or a public hearing?

Mr. Hewett - We recognize the concerns that were addressed about moving more toward trophy waters. What we are trying to find is a balance of providing a range of opportunities and setting some limits on them to the proportion of waters that go toward trophy regulations. We recognize that as an important concern as we go through these.

Chairman Solberg - I think you are right. Board Member Behnke, in answer to part of your question, you just came back from Canada. You can see that, where there is supposedly more fish. Canada seems to be getting even more restrictive than we are. Much more restrictive and I think it is because of the over harvest in a lot of areas. Similar to what Mr. Hewett is saying, so we have a balance approach of fishing for everyone. Every place that you go, I see more restrictions, even the rule book in Canada, is much more restrictive than ours.

Mr. Behnke - I also see a very marked decline in the number of people from the United States going to Canada to fish. I don't know if we should be moving far into that direction in Wisconsin, to serve a trophy fishing special interest group. We still need to think about serving the average citizen that buys a fishing license.

Citizen participation on this item:

Steven Winters, Reedsburg, representing himself and small mouth fishermen, spoke in support of this issue. Mr. Winters presented the Board Members with a file containing an e-mail letter from Gene VanDyke (the 33 year fisheries manager for the LWR and official author of the special regulation proposal) addressed to Mike Staggs and Steve Hewett regarding the spring hearings in Grant County; a document from Dr. John Lyons regarding exploitation of SMB; shocking surveys from 2000 and 2001 on the LWR; a letter from Representative DuWayne Johnsrud regarding his position on this issue; a letter from Ron Barefield regarding the decline in the quality of the small mouth bass; and a copy of Mr. Winter's presentation. Mr. Winters referred to these items and quoted them supporting his position. He asked that the Board listen to these folks who have supported the proposed special regulations. He stated that this project, if implemented, would be well worth all of the effort expended by both himself and fisheries personnel who supplied the research and management expertise that support it.

Chairman Solberg called on Chairman Steve Oestreicher regarding the Conservation Congress.

Chairman Oestreicher, Conservation Congress, reviewed specifics from their annual meeting. He presented Chairman Solberg with five letters, for the record, that were submitted by the Wisconsin Rivers Sportsman's Club in Mazomanie, The Badger Fly Fishers Organization in Madison, The Spring Green Rod and Gun Club in Spring Green, The Ohara Fishing Club, and the Sauk Prairie Area Chamber of Commerce. The general consensus from all five of these organizations is (Chairman Oestreicher read from the letters) "

... that they recognize that to succeed the fishing experience must continue to attract all segments of the fishing community not just those who seek larger fish. For this reason, we do not seek to impose a catch and release system, moreover, we encourage limiting the area of the 18 inch minimum only to that portion of the Wisconsin River between the Highway 12 bridge at Sauk City and the Highway 14 bridge at Spring Green. This appears to us to represent a reasonable compromise for all who fish while allowing a vastly improved natural environment for the development of truly trophy small mouths". He stated that he spoke with Mike Staggs and Steve Hewett long before the Congress meeting a few weeks ago informing them they would have problems with this and they needed to compromise and work this out.

The area of Highway 12 to Highway 14 was pointed out on the map. Discussion pursued regarding this area and the concerns that law enforcement has and the major spawning below the area of the bridges.

Mike Staggs - After the spring hearings, we looked at the analyzed and we talk to the local biologists as to what makes sense to do. What is missing here is a biological or scientific basis for drawing a line. We were aware of this potential split. We, the Department, asked the regional biologist whether there was a rational place to draw a line. At the time of going to the Congress meeting we were not provided with any significant biological justification for drawing a line. That is still the case today. Now there has been some discussion since the Congress meetings, we have found this quill data that we didn't have before. My fear is we will end up with a regulation that fish move back and forth, anglers move back and forth, and we are not sure that drawing a line will make a difference at this point. That is why, Chairman Oestreich earlier suggested that if that is what the Board would like us to do we are going to need some time to crunch some numbers need some analysis, and figure out where it makes sense to do that. There are also some law enforcement concerns at some of the potential places where you might draw a line. We aren't unwilling to consider the public input or unwilling to look at another regulation change, it is just that in the time frame that we have it is not simple. We need to look at this in more detail before doing that. Up to this point we haven't had any analysis to suggesting a good cut point or a good place where the rule will make a difference.

Mr. Tiefenthaler - If we would remove this portion, take it out and table it for a year, could you come back next year when we would have sounder, more accurate biological data than we have now?

Mr. Staggs - That is a call for the Board as to whether or not we should go back to hearing again. We could begin working on it reasonably soon and we could come back as soon as we could figure something out. It is conceivable, if the data is there, and there is an alternative that makes sense to the biologists and the other folks involved. We could still get it done before next fishing season. We could potentially come back to the Board in August. If there isn't an answer we would be going back to getting people's opinions.

Mr. Tiefenthaler - We really have some biological questions here. I think we would be wise to take it off at this time.

Mr. Behnke MOVED, seconded by Mr. Tiefenthaler, adoption Order FH-04-02 and Order FH-14-02, proposed fishing regulation changes resulting from the 2002 Spring Fish and Wildlife Hearings with the exception of Highway 12 and Highway 14 as discussed and request that this item give further study and go back out to public hearing after they arrive at, what the Department considers to be a social and biological consideration and bring it back again next year.

In addition to Mr. Behnke's amendment, **Mr. Tiefenthaler** presented an amendment to remove Escanaba Lake, **seconded by Mr. Willett.**

The order was carried unanimously by those members present, as amended. (Ms. Stepp and Mr. Poulson were absent)

Chairman Oestreich - Presented the Board Members with the results of the 68th Annual Meeting of the Conservation Congress, taking place May 9, 10, and 11 in Wisconsin Dells. He stated they went through an extensive agenda which included a lengthy update on Chronic Wasting Disease. He reviewed the questionnaire and

the results. He requested the Department to further evaluate these results. Chairman Oestreicher then reported on the Executive Council Meeting which took place on May 22, 2002 in Minocqua. Two Conservation Congress resolutions regarding deer baiting and feeding and Hibbard Creek, of which the Executive Council passed, were read in full to the Board Members by Chairman Oestreicher.

6.B.5. Authorization for hearing on revision of Chapter NR 20, Wis. Adm. Code, pertaining to fishing housekeeping changes.

Steve Hewett, Fisheries Policy and Operations Section Chief, presented the authorization for hearing on revision of Chapter NR 20, Wis. Adm. Code, pertaining to fishing housekeeping changes. He requested the Board to support an amendment to add an additional item. He stated this amendment deals with readjusting the bag limits in the seeded territory. Every spring, after tribal spearing is finished, bag limits are readjusted back up from the declaration of two or three up to three or five, depending on the lakes. When the Department originally developed this code, they put in that they could not raise the bag limits until after May 30 and there are some circumstances that have come up where they would like to change that.

Mr. Willett MOVED, seconded by Mr. Behnke authorization for hearing on revision of Chapter NR 20, Wis. Adm. Code, pertaining to fishing housekeeping changes, as amended. The motion was carried unanimously by those members present. (Ms. Stepp and Mr. Poulson were absent)

6.B.6. Authorization for hearing on revision of Chapter NR 10, Wis. Adm. Code, pertaining to establishing the 2002 migratory game bird season.

Kurt Thiede, Wildlife Regulations Policy and Outreach Specialist, presented the authorization for hearing on revision of Chapter NR 10, pertaining to establishing the 2002 migratory game bird season.

Mr. Willett MOVED, seconded by Mr. Tiefenthaler authorization for hearing on revision of Chapter NR 10, Wis. Adm. Code, pertaining to establishing the 2002 migratory game bird season. The motion was carried unanimously by those members present. (Ms. Stepp and Mr. Poulson were absent)

6.B.7. Authorization for hearing on revision of Chapter NR 47, Subchapter VII, Wis. Adm. Code, pertaining to the Wisconsin forest landowner grant program rules.

Bob Mather, Forest Lands Section Chief, presented the authorization for hearing on revision of Chapter NR 47, Subchapter VII, pertaining to the Wisconsin forest landowner grant program rules. Mr. Mather reviewed the success of this program for the past years.

Mr. Willett MOVED, seconded by Mr. Tiefenthaler authorization for hearing on revision of Chapter NR 47, Subchapter VII, Wis. Adm. Code, pertaining to the Wisconsin forest landowner grant program rules. The motion was carried unanimously by those members present. (Ms. Stepp and Mr. Poulson were absent)

Richard Steffes, Real Estate Director, Bureau of Facilities and Lands, presented the following land items:

6.B.8. Ice Age Trail land acquisition - Polk County.

Mr. Steffes presented the Board Members with a map demonstrating the Ice Age Trail land acquisition in Polk County.

Mr. Behnke MOVED, seconded by Mr. O'Brien, that the Board approve the purchase of 132 acres from The Ice Age Park and Trail Foundation, Incorporated for \$210,000 for the Polk County Segment of the Ice Age Trail in Polk County, as presented. The motion was carried unanimously by those members present. (Ms. Stepp and Mr. Poulson were absent)

6.B.9. Willow Flowage Scenic Waterway - Oneida County.

Mr. Steffes presented the Board Members with a map demonstrating the Willow Flowage Scenic Waterway in Oneida County.

Citizen participation on this item:

Larry Jonas, Town of Lynne, representing the Town of Lynne, presented his support for the Willow Flowage Scenic Waterway purchase. He stated that both the Town Board and the citizens unanimously, at a public meeting, support this project. He further stated that the people in that part of the county are strongly in favor of this and want to see that property protected. Mr. Jonas stated they are hoping to keep this area wild and the primary concern of the people was not to change it.

Mr. Willett MOVED, seconded by Mr. O'Brien, that the Board approve the purchase of 912.39 acres from the Conservation Fund for \$1,772,000 for the Willow Flowage Scenic Waterway in Oneida County, as presented. The motion was carried unanimously by those members present. (Ms. Stepp and Mr. Poulson were absent)

7. Department Secretary's Matters.

7.A. DONATION - Whitetails Unlimited, Incorporated wishes to donate \$5,000 to support the publication of the Sandhill Whitetail book.

Mr. Willett MOVED, seconded by Mr. Tiefenthaler, acceptance of the donation. The motion was carried unanimously by those members present. (Ms. Stepp and Mr. Poulson were absent)

7.B. DONATION - The Devil's Lake State Park Concession wishes to donate \$7,000 toward the purchase of a new riding lawn mower for use at Devil's Lake and Natural Bridge State Parks.

Mr. Willett MOVED, seconded by Mr. Tiefenthaler, acceptance of the donation. The motion was carried unanimously by those members present. (Ms. Stepp and Mr. Poulson were absent)

7.C. Request from the Senate Legislative Committee for Modifications to Orders WT-7-00, WT-8-00, WT-10-00, WT-13-00 - creation of Chapters NR 120, NR 151, NR 153 and NR 155, and NR 243, Wis. Adm. Code, pertaining to the redesign of the nonpoint source water pollution abatement program. (Adopted by NRB January 22, 2002) (Item 3.A. Minutes of January 22, 2002).

Al Shea, Watershed Management Director, presented the Senate's request to modify the nonpoint source rule package that the Board passed in January 2002. The Assembly and the Senate held hearings, the Assembly approved the package as submitted, the Senate sent it back requesting two changes. One was a germane modification and the second was on the issue of buffers. The Senate Committee's request was the Board consider putting in a mandatory buffer requirement that would become effective at the end of the CREP sign up period. Mr. Shea asked for the approval of the Board of the germane modification package which starts on page three of the green sheet packet, necessary to incorporate existing technical standards by reference, improve coordination with the Department of Natural Resources regulations and real estate programs, simple things that the Department did not catch. Mr. Shea asked approval of the Board of the following resolution as indicated:

**STATE OF WISCONSIN
NATURAL RESOURCES BOARD
RESOLUTION**

WHEREAS the Senate Committee on Environmental Resources has requested the department to consider including a mandatory agricultural buffer performance standard in the proposed nonpoint source redesign administrative rules.

WHEREAS the University of Wisconsin College of Agriculture and Life Science Ad Hoc Committee on Filter Strips and Buffers has recommended an adaptive management approach to institute continued research on agricultural buffer strips.

WHEREAS the department and interested stakeholders including agricultural and environmental groups have been unable to reach agreement concerning the components of an agricultural buffer performance standard.

WHEREAS the Natural Resources Board and the Department wish to establish policies based on the best and most complete science available.

WHEREAS Federal farm legislation has extended the Conservation Reserve Enhancement Program (CREP) to 2008.

NOW, THEREFORE, BE IT RESOLVED, that the Natural Resources Board directs the Department to assist in and promote the organization and funding of additional agricultural buffer research managed through the University of Wisconsin College of Agriculture and Life Sciences and implemented through the Wisconsin Agricultural Stewardship Initiative with a report on the findings of this research due no later than December 31, 2005.

BE IT FURTHER RESOLVED, that the Department shall initiate a revision to the nonpoint source pollution performance standard administrative rule to incorporate an agricultural buffer performance standard based on this research report and complete the rule making process no later than December 31, 2007, and that if no report is issued by the December 31, 2005 date, that the department initiate a revision to the nonpoint source pollution performance standard administrative rule to incorporate an agricultural buffer performance standard consistent with Natural Resources Conservation Service technical standards 393 or 391 as applicable for fields impacting Outstanding and Exceptional Resource Waters and for nonpoint source impaired waters included on the state 303(d) impaired waters list, the effective date of which shall be established so as not to affect eligibility of Wisconsin landowners to participate in CREP.

NATURAL RESOURCES BOARD

Trygve A. Solberg
Chairman

Date at Minoqua, Wisconsin, this 22nd day of May 2002.

Mr. Willett thanked the Department staff for their efforts on this issue.

Mr. Willett MOVED, seconded by Mr. O'Brien, the Request from the Senate Legislative Committee for Modifications to Orders WT-7-00, WT-8-00, WT-10-00, WT-13-00 - creation of Chapters NR 120, NR 151, NR 153 and NR 155, and NR 243, Wis. Adm. Code, pertaining to the redesign of the non-point source water pollution abatement program, as presented. The motion was carried unanimously by those members present. (Ms. Stepp and Mr. Poulson were absent)

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The Board Meeting adjourned at 1:40 p.m.